

Remarks

This amendment is submitted in response to the Office Action of June 14, 2001. Reconsideration and allowance of the claims is requested.

In the Office Action, in the specification page 7, line 1, between the words "paired" and "wires" insert – axially directed – .

In this Office Action, the Examiner begins by saying at paragraph one, response to arguments, that Soeda et al. also show a circular magnetizing apparatus. This may be true, considering the figure cited. However, Soeda utterly fails to show the use of a back iron to direct and concentrate the flux as clearly shown in Fig. 8A and 8B of the present application, and clearly fails to show a back iron, such as back iron 53, which is a critical element of the present design. Therefore, the express limitations of claims 6-9 have not been met.

At paragraph 2, the Examiner points out that the oath & declaration is defective. It is respectfully requested that his be held in abeyance until the claims are allowed; the new declaration has been prepared and forwarded for execution, but has not been received back.

The new declaration, as well as page one of the application will be amended to reflect that application serial no. 09/158,641, filed 09/22/98 will be identified as USP 6,124,776.

The Examiner objects to the drawings as failing to show the pairs of axially directed wires of claims 6 and adjacent pairs of wires carrying current in the opposite direction as claimed in claim 9. Referring to Fig. 8A and 8B, the pairs of axially directed wires carrying current in the opposite directions can be clearly seen in the magnetizer body 52. The pairs of oppositely directed wires are identified as 56 and 58 and are clearly pointed to in Fig. 8A.

Further, the application clarifies that the current through the pairs of wires is flowing into or out of the page as indicated by the standard convention practice using an X or a dot. Therefore, the words "axially directed" have been entered into the specification, but do not comprise new matter because the only impossible interpretation for the wires shown in Fig.

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8A and 8B, especially as explained as relative to the convention of carrying current into and out of the page, is that these wires extend axially up through the magnetizer, thereby (according to the right hand rule) creating the flux fields indicated as 57 and 59.

The Examiner states that claim 6 is unclear as using the limitation set gap in line 5. The Examiner also questioned the use of the phrase "sufficient axial gap", but "sufficient" modifies "gap" which is further modified by the phrase "to allow the magnet to be magnetized to slip into the gap". Therefore, the language is clear.

The claims were rejected as anticipated by Soeda. According to the Examiner, Soeda shows a magnetizer with an insulating core 20 with pairs of axially directed wires and a back iron 20. However, the claim clearly calls for (See Fig. 8A) the magnet fitting between the insulating body which supports the wires and the back iron. The Examiner concedes by his own application of reference numbers that in his interpretation of Soeda the insulating core which supports the wires and the back iron both of which he identifies by reference number 20 are the same thing. In the claims of the present invention, the insulating core which supports the wires and the back iron are spaced across from each other and define a gap. The two pieces are essential elements to create the field which is used to magnetize the magnet which lies in the gap between the insulating core and wires and the back iron. Further, if the Examiner applies the right hand rule to the wires which he sees and the figure he cites in Soeda as compared to the wires that are shown in Fig. 8A, he will see that the fields created are 90 degrees apart from one another. The wires 20A of Soeda are circumferentially directed and would produce a corresponding field, while the wires 56, 58 of the present invention are axially directed and produce the field which crosses the gap and the magnet to the back iron and return.

Further, the means-plus-function claims can be interpreted only to read on Figs. 8A and 8B whereby a flux path is created to run through the magnet to the back iron and return to establish the null zones in the magnet; Soeda creates a field, as shown in the reference Fig. 9 and passes circumferentially along the magnet 30 to magnetize the magnet and is a completely different structure. No flux lines in the Fig. 9 pass entirely through the magnet,

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as such a flux line would be created only if a back iron is provided on the opposite side of the magnet.

In view of these many clear distinctions, reconsideration and allowance of the claims is respectfully requested.

If any matters can be handled by telephone, Applicant requests that the Examiner telephone Applicant's attorney at the number below.

The Commissioner is authorized to charge any additional fees to Deposit Account No. 20-0782 (Order No. A-59709-3/80322942JAS).

Respectfully submitted,

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